IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.564 OF 2006
IN
COMPANY PETITION NO.1052 OF 1997

M/s.Ajanta Papers & General products Ltd., ..Applicant

Versus

Akshar Communications Pvt.Ltd.,& Ors...Respondents

Sarita D'Lima with Jayshree Manjrekar for applicant

Mr.Sandeep Parikh with Mr.Raj Baid for respondents.

Ms.K.V.Gautam Ag.O.L.

Coram : R.S.Mohite,J

Date : 15.09.2006.

PC

1. This is an application for setting aside the winding up order passed by this Court in the Company Petition No.1052/1997 on 1.9.2005 on the ground that full payment has been made to the petitioner. By an order dated 4.8.2006 this Court recorded the receipt of the amount by the petitioner and directed that the setting aside of the winding up order could be considered provided that the parties would take necessary steps to advertise the petition setting out clearly that on the returnable date it would be open for any creditor or contributory to appear and substitute himself or herself in place of the original petitioner and proceed with the petition in accordance with law. This has been done and an

affidavit of publication dated 21.8.2006 has been filed. No person appears to substitute himself as a petitioner. In the circumstances, Company application is made absolute in terms of prayer clauses-(a) and (b) subject to the payment of cost of Rs.5000/- to the Official Liquidator. The payment of which will be the condition precedent to the execution of prayer clause-(b). Application and Petition stand disposed off accordingly.

(R.S.Mohite,J)